

## Message Text

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PAGE 01 STATE 176073  
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FM SECSTATE WASHDC  
TO AMEMBASSY BUCHAREST

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E.O. 11652: N/A

TAGS: CPRS, RO

SUBJECT: TUDOR CLAIM

REF: BUCHAREST 4768

1. DURING HEARINGS ON JULY 12 AT INTERNATIONAL TRADE SUB-COMMITTEE OF SENATE FINANCE COMMITTEE (BEING REPORTED SEP-TEL), TUDOR'S ATTORNEY, EDWARD MERRIGAN, TESTIFIED IN BEHALF OF HIS CLIENT'S CLAIM AGAINST THE GOR AND SUGGESTED THAT THE COMMITTEE INTRODUCE A RESOLUTION REQUIRING ROMANIAN COMPLIANCE WITH SECTION 502 OF THE TRADE ACT AND THE CONSULAR CONVENTION. FAILURE TO COMPLY WITH THIS PROVISION WOULD BE BASIS FOR REVOCATION OF MFN. IN HIS STATEMENT, MERRIGAN IMPLIED THAT THE US GOVERNMENT HAD ALREADY ESPOUSED TUDOR'S CLAIM.

2. SENATOR RIBICOFF RESPONDED TO MERRIGAN BY NOTING THAT MR. ORGHIDAN HAD DIED IN 1944; MRS ORGHIDAN HAD DIED IN 1967; JOHN TUDOR ONLY ACQUIRED US CITIZENSHIP IN 1974; AND IT WAS LIMITED OFFICIAL USE

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DIFFICULT TO UNDERSTAND HOW THE COMMITTEE COULD GET INVOLVED IN A MATTER BETWEEN ROMANIANS. ASKED BY RIBICOFF FOR THE DEPARTMENT'S VIEWS, VEST INDICATED THAT WE WERE ATTEMPTING TO OBTAIN ALL THE RELEVANT FACTS; THAT WE WERE IN CLOSE TOUCH WITH TUDOR'S LEGAL REPRESENTATIVES; BUT THAT

WE HAD DEFINITELY NOT YET MADE A DECISION TO ESPOUSE THE

CLAIM.

3. SENATOR DOLE EXPRESSED AGREEMENT WITH RIBICOFF'S VIEWS AND ADDED THAT IF THE COMMITTEE DOES HAVE ANY JURISDICTION IN THIS MATTER THEY WOULD EXPECT THE STATE DEPARTMENT TO ADVISE THEM OF THIS FACT. ON THE OTHER HAND, HE NOTED, IF TUDOR'S PURPOSE WAS TO PRESSURE THE ROMANIAN GOVERNMENT THROUGH THESE HEARINGS, "YOU HAVE MADE YOUR POINT".

4. THE DEPARTMENT SENT AN ADDITIONAL RESPONSE ON JULY 11 TO SENATOR LONG REGARDING THE TUDOR CLAIM IN WHICH IT STATED THAT THE LATEST ROMANIAN GOVERNMENT NOTE WAS BEING REVIEWED IN ORDER TO DETERMINE WHETHER THE CLAIM COULD BE ESPOUSED BY THE USG. (COPY OF LETTER BEING POUCHED EMBASSY.) AS AN ATTACHMENT TO THIS RESPONSE WE PROVIDED SENATOR LONG WITH EXCERPTS FROM THE NOTE. EMBASSY SHOULD THEREFORE BE AWARE THAT ALTHOUGH GOR ASKED THAT THESE DOCUMENTS NOT BE MADE AVAILABLE TO TUDOR'S ATTORNEY, IT IS VERY LIKELY THAT SENATOR LONG'S OFFICE WILL PROVIDE THEM TO MERRIGAN. FURTHERMORE, IT IS POSSIBLE THAT THESE TEXTS WILL APPEAR IN OFFICIAL RECORD OF THE HEARINGS.

5. WITH REGARD TO STATEMENT OF BADESCU THAT JOHN TUDOR CASE IS PENDING BEFORE US COURT (BUCHAREST 4768, PARAGRAPH 4), DEPARTMENT OFFICIALS HAVE VERIFIED WITH ATTORNEYS FOR JOHN TUDOR THAT, IN FACT, THERE IS NO PENDING LITIGATION.  
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THE ORIGINAL PROCEEDINGS INITIATED BY JOHN TUDOR'S ATTORNEYS HAVE BEEN WITHDRAWN AND HAVE BEEN TERMINATED. IT THEREFORE APPEARS THAT BADESCU AND OTHER ROMANIAN OFFICIALS MIGHT BE UNDER A MISAPPREHENSION AS TO THE TRUE FACTS OF ANY PENDING LITIGATION BEFORE US COURTS. CHRISTOPHER

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## Message Attributes

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**Review Markings:**  
Sheryl P. Walter  
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